

**COMMONWEALTH OF MASSACHUSETTS**

**PLYMOUTH, ss.**

**PLYMOUTH SUPERIOR COURT  
CIVIL ACTION NO.: 04-00187**

**BLUE WATER ENTERPRISES, INC., )**

**Plaintiff, )**

**v. )**

**ONE BEACON AMERICA )  
INSURANCE COMPANY, )**

**Defendant. )**

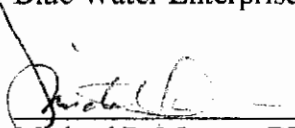
**NOTICE OF DEPOSITION**

TO: Thomas J. Muzyka, Esq.  
Clinton & Muzyka, P.C.  
One Washington Mall, Suite 1400  
Boston, MA 02108

Please take notice that, at **10:00 o'clock in the forenoon, on Wednesday, August 25, 2004**, at the offices of MASON & DUFFY, P.C., 72 Sharp Street, Unit A9, Hingham, MA 02043, the plaintiff in this action, Blue Water Enterprises, Inc., by its attorneys will take the deposition upon oral examination of **BERNICE M. FORD**, pursuant to the applicable provisions of the Massachusetts Rules of Civil Procedure, before some officer authorized by law to administer oaths. The oral examination will continue from day to day until completed.

You are invited to attend and cross-examine.

Attorney for the Plaintiff  
Blue Water Enterprises, Inc.,

  
Michael P. Mason - BBO #543987  
MASON & DUFFY, P.C.  
72 Sharp Street, Unit A9  
Hingham, MA 02043  
(781) 337-0066

Dated: July 21, 2004

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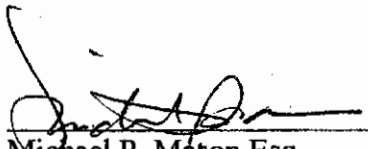
**INSURANCE COMPANY, )**

**Defendant. )**

**CERTIFICATE OF SERVICE**

I, Michael P. Mason, attorney for the Plaintiff, hereby certify that on this date I served the attached NOTICE OF DEPOSITION on the Defendant in this action by mailing a copy thereof, postage prepaid to the following counsel of record:

Thomas J. Muzyka, BBO#365540  
Clinton & Muzyka, P.C.  
One Washington Mall  
Suite 1400  
Boston, MA 02108

  
\_\_\_\_\_  
Michael P. Mason Esq.  
MASON & DUFFY, P.C.  
72 Sharp Street  
Hingham, MA 02043  
(781) 337-0066

Dated: July 21, 2004

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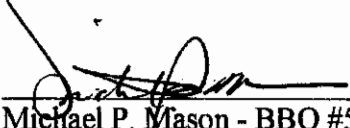
**BLUE WATER ENTERPRISES, INC., )  
)  
Plaintiff, )  
v. )  
)  
ONE BEACON AMERICA )  
INSURANCE COMPANY, )  
)  
Defendant. )**

**SUBPOENA DUCES TECUM**

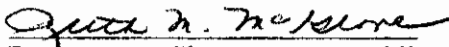
**TO: BERNICE M. FORD  
International Marine Underwriters  
One Beacon Insurance Group  
Boston, MA 02108-3100**

You are hereby commanded to attend and appear at the offices of MASON & DUFFY, P.C., 72 Sharp Street, Unit A9, Hingham, MA 02403, on **Wednesday, August 25, 2004, at 10:00 a.m.** and from day to day thereafter, to testify upon oral examination at the instance of the plaintiff in this action, and to bring with you and to produce at the time and place copies of the following documents and papers: **all documentation including but not limited to correspondence, records, notes, charts, surveys, inspections, evaluations, estimates, your own notes and the like involving your review of the claim of August 24, 2002 regarding the vessel, "Prim Lady", One Beacon America Insurance Company Policy No. C5JH 51317, IMU Claim No. OBM 00328Y.**

For failure to attend you may be deemed guilty of contempt, and liable for such penalties as are provided by law.

  
Michael P. Mason - BBO #543987  
MASON & DUFFY, P.C.  
72 Sharp Street, Unit A9  
Hingham, MA 02043  
(781) 337-0066

Dated: July 21, 2004

  
Ruth M. McGlone, Notary Public  
My Commission Expires: 6/18/05



**Suffolk County Sheriff's Department • 45 Bromfield Street • Boston, MA 02108 • (617) 989-6999**

**Suffolk, ss.**

August 5, 2004

I hereby certify and return that on 8/3/2004 at 8:45AM I served a true and attested copy of the Witness Subpoena Deposition in this action in the following manner: To wit, by delivering in hand to Mary Johnson, for Bernice F. Ford, at International Marine Underwriters, One Beacon Street, Boston, MA 02108-3100. Witness Fee (\$9.60), Basic Service Fee (IH) (\$30.00), Travel (\$11.52), Postage and Handling (\$1.00), Attest/Copies (\$5.00) Total Charges \$57.12

Deputy Sheriff George Slyva

  
Deputy Sheriff

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